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AZ CORP COMMISSION  
DOCKET CONTROL

Arizona Corporation Commission  
**DOCKETED**

DEC 19 2008

Attorneys for The Links at Coyote Wash Utilities, LLC

DOCKETED BY	<i>MM</i>
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**BEFORE THE ARIZONA CORPORATION COMMISSION**

IN THE MATTER OF THE APPLICATION  
OF THE LINKS AT COYOTE WASH  
UTILITIES, LLC, FOR AN EXTENSION OF  
ITS EXISTING CERTIFICATE OF  
CONVENIENCE AND NECESSITY FOR  
WASTEWATER SERVICE IN YUMA  
COUNTY, ARIZONA.

DOCKET NO. SW-04210A-06-0220

**NOTICE OF COMPLIANCE WITH  
DECISION NO. 69209**

The Links at Coyote Wash Utilities, L.L.C. ("Company"), an Arizona public service corporation, hereby submits this Notice of Compliance pursuant to Decision No. 69209 (December 21, 2006) ("Order"). Through this filing the Company is addressing three compliance items.

First, the Order requires the Company to file Approval of Construction ("AOC") documentation for the collection line installation. The Company responds that it does not have AOC documentation to file at this time. Currently there is no construction occurring in the extension area, and the developer is believed to be experiencing financial problems.

Second, the Order requires the Company to annually file certification from the Arizona Department of Occupational Safety and Health ("ADOSH") that the Company has utilized ADOSH consultation services, and that the Company's operators, agents, and employees have taken appropriate training. The Company scheduled an appointment for January 9, 2008, which is the earliest opportunity for an on-site consultation due to staffing issues at ADOSH. See Exhibit 1 attached hereto. The Company will file ADOSH certification as soon as possible after

1 the on-site visit.

2 Third, the Order requires the Company to file a copy of the Arizona Department of  
3 Environmental Quality's ("ADEQ") Aquifer Protection Permit ("APP") modification to include  
4 the extension area. The Company responds that it has not yet received the modified APP and  
5 presumably will not meet the Commission's filing deadline of December 31, 2008. However, the  
6 Company believes that presently there is no reason to again request ADEQ to expedite its review  
7 since construction has been delayed and there is no current demand.

8 DATED this 19th day of December, 2008.

9 FENNEMORE CRAIG, P.C.

10  
11 By: 

12 Jay L. Shapiro

13 Patrick J. Black

14 Attorneys for The Links at Coyote Wash  
15 Utilities, LLC

16 ORIGINAL and 13 copies delivered this  
17 19th day of December, 2008, to:

18 Docket Control  
19 Arizona Corporation Commission  
20 1200 West Washington Street  
21 Phoenix, Arizona 85007

22 COPY hand-delivered this 19th day of December, 2008:

23 Carmel Hood, Compliance  
24 Utilities Division  
25 Arizona Corporation Commission  
26 1200 West Washington Street  
Phoenix, Arizona 85007

By: 

2145824.1/16307.001

# EXHIBIT

1

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**From:** Lopez, Luis - OSHA State (AZ-SP) [mailto:Lopez.Luis@dol.gov]  
**Sent:** Tuesday, December 02, 2008 8:03 AM  
**To:** Jason Williamson  
**Subject:** RE: ADOSH Consultation at Links at Coyote Wash WWTP in Wellton, AZ

Hi Jason,

This confirms our scheduled consultation survey for January 9, 2009 at 10:30AM. We regret not being able to meet your deadline requirement, but at this time we are short-staffed due to the State's budget deficit and currently imposed hiring freeze.

Thanks for understanding our present work schedule backlog!

Luis Lopez  
Industrial Hygiene Consultant  
ADOSH - Phoenix Office  
Email: [lopez.luis@dol.gov](mailto:lopez.luis@dol.gov)  
Office: (602)542-1637  
Fax: (602)542-1614

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**From:** Jason Williamson [mailto:jw@pivotalcompanies.com]  
**Sent:** Monday, December 01, 2008 3:26 PM  
**To:** Lopez, Luis - OSHA State (AZ-SP)  
**Cc:** SunstateES@aol.com; WBIRK@FCLAW.com  
**Subject:** ADOSH Consultation at Links at Coyote Wash WWTP in Wellton, AZ

Hi Luis,

Thank you for your time and quick reply with respect to our request for ADOSH consultation services at the Links at Coyote Wash Utilities wastewater treatment plant in Wellton, AZ.

I am writing this email to confirm that we have scheduled your consultation for January 9, 2009 at 10:30AM. Your point of contact for this visit is Rick Miller with Sunstate Environmental Services at (928)920-9056. All paperwork should be sent to my attention at the address below in Denver.

As you know, we had requested an earlier consultation as a result of our compliance schedule with the Arizona Corporation Commission. If you could please reply with regard to the current backlog and staffing shortfalls in your department that preclude our December 21 deadline, I would appreciate it, and will note your reply for our ACC filing.

Please contact me if you have any questions or comments. Thank you again for your assistance.

Regards,

Jason Williamson  
President  
Pivotal Utility Management, LLC  
6825 E Tennessee Ave Suite 547  
Denver, CO 80224  
P (303)333-1250 F (303)333-1257 M (720)260-0531

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12/19/2008